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10 Attorneys for Class Plaintiffs

11 **UNITED STATES DISTRICT COURT**  
12 **SOUTHERN DISTRICT OF CALIFORNIA**

13 JIMMY TRINH, an individual, on  
behalf of himself and all others similarly  
situated; ERIC STOREY, an individual,  
on behalf of himself and all others  
similarly situated,

16 Plaintiffs,

17 vs.

18 JPMORGAN CHASE & CO., a  
Delaware corporation; JPMORGAN  
CHASE BANK, N.A., a New York  
corporation; CHASE MANHATTAN  
MORTGAGE CORPORATION, a New  
Jersey corporation; DOES 1 through 10,  
inclusive,

22 Defendants.

19 Case No. '07 CV-01666 W (WMC)

20 Hon. Thomas J. Whelan

21 **CLASS ACTION**

22 **DECLARATION OF  
ERIC STOREY IN SUPPORT OF  
MOTION TO FACILITATE  
NOTICE TO POTENTIAL CLASS  
MEMBERS**

23 Date: February 19, 2008

24 Ctrm.: 7

25 NO ORAL ARGUMENT  
PER LOCAL RULES

26 [FILED CONCURRENTLY WITH;

- 27 1. NOTICE OF MOTION;
- 28 2. MEMORANDUM OF POINTS AND  
AUTHORITIES IN SUPPORT OF  
MOTION TO FACILITATE NOTICE  
TO POTENTIAL CLASS MEMBERS;
3. DECLARATION OF JIMMY TRINH;
4. [PROPOSED] ORDER

Complaint Filed: August 22, 2007  
Trial Date: None

11, ERIC STOREY, declare as follows:

- 1        1 I have personal knowledge of the matters stated herein, except as to  
2                  those matters stated upon information and belief, and as to those  
3                  matters I believe them to be true. If called as witness, I could and  
4                  would testify truthfully and competently to the matters stated herein.
- 5        2 I submit this declaration in support of Plaintiffs' Motion to Facilitate  
6                  Notice to Class Members in the action entitled *Jimmy Trinh v. JP*  
7                  *Morgan Chase & Co. et al.* United States District Court, Southern  
8                  District of California.
- 9        3 I was hired by JP Morgan Chase & Co. ("JP Morgan") (on  
10                 information and belief, acting in concert with, and on behalf of, co-  
11                 defendants JP Morgan Chase Bank, N.A., and Chase Manhattan  
12                 Mortgage Corporation) on December 1, 2006, to work in the Del Mar  
13                 branch of Chase (the branch is now closed). I was hired as an  
14                 "account executive" and "loan officer" to solicit loans. In essence, I  
15                 was selling loans to brokers, realtors, other loan officers, and the  
16                 general public. I was selling these loans based off of leads provided  
17                 by JP Morgan and my own referral sources.
- 18        4 Within approximately a month and half of my hiring, I was sent to the  
19                 Chase branch located in Rancho Bernardo, California for training.  
20                 During my training, I was part of approximately 20 to 25 employees  
21                 who were being simultaneously receiving the same information as  
22                 myself. These other account executive and loan officer employees  
23                 were from other branches across the country and included employees  
24                 from: Texas, San Francisco, Florida and Sacramento.
- 25        5 During this training, all employees received the same directive with  
26                 respect to our job duties and functions, were collectively informed of  
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1                   the parameters which this job encompassed, and, the limits of our  
2                   authority. At this seminar, I believe, to an "nth" degree of certainty,  
3                   that each of the loan officers were given the same training manual. In  
4                   addition, during my employment, I had conversations with numerous  
5                   other employees, each of whom had been hired as account executives  
6                   and loan officers, and each of whom indicated to me that their  
7                   "training" was identical to that which I had received in Rancho  
8                   Bernardo.

9                   6. It is my understanding that each of the account executives and loan  
10                  officers would solicit and sell loans based upon the same criteria. For  
11                  example, the loan applications were identical, the applications were  
12                  provided by JP Morgan, we would all obtain the same information  
13                  from the loan applicants, and we would all enter that information into  
14                  the same on-line system. If the potential borrower fit the all of the  
15                  guidelines that were set forth by JP Morgan, then we would get  
16                  approval from the branch and sales managers, to "sell" the loan.  
17                  7. Based on my interaction and conversations with other account  
18                  executives and loan officers, both during training and afterwards  
19                  when I began selling loans, it is my understanding that all of the base  
20                  salaries and commission compensation for the account executives and  
21                  loan officers were essentially the same.  
22                  8. There were 12 other account executive and loan officer employees in  
23                  the Del Mar office and I interacted with each of them. Based on that  
24                  interaction, it is my understanding that our job functions and method  
25                  of compensation was the same. I also traveled to the Rancho  
26                  Bernardo and Ontario branches for training. Based on my training in  
27                  those offices, I can attest that that all of the loan officers literally  
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1 throughout the country, had the same job functions as in the Del Mar  
2 office and were compensated in the same fashion and based upon the  
3 same criteria.

4 9. While employed, I was required to work 10+ hours a day during the  
5 week. My branch manager informed me, and every other loan  
6 officer, that we were to work as many hours as possible, including  
7 after hours, to sell as many loans as possible. In fact, towards the end  
8 of my employment, the branch manager instituted a "mandatory"  
9 weekend lead call generation. Loan officers were required to work  
10 approximately 3 hours during the weekend making calls to potential  
11 loan applicants.  
12 10. Based on my interaction and conversations with other account  
13 executives and loan officers, it is my understanding that none of these  
14 employees, including myself, were compensated for any of the  
15 overtime hours we worked. I know I was not.

16  
17 11 I declare under penalty of perjury, under the laws of the State of  
18 California, that the foregoing is true and correct. Executed this 15 day of  
19 January, 2008, at San Diego, California.

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21   
22 ERIC STOREY  
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## **PROOF OF E-FILING SERVICE**

**STATE OF CALIFORNIA, COUNTY OF LOS ANGELES**

I am employed in the State of California, County of Los Angeles. I am over the age of 18 and not a party to the within suit; my business address is 6701 Center Drive West, Suite 1400, Los Angeles, California 90045.

On January 15, 2008, I served a true and correct copy of the foregoing document described as: **DECLARATION OF ERIC STOREY IN SUPPORT OF MOTION TO FACILITATE NOTICE TO POTENTIAL CLASS MEMBERS** on the interested parties in this action as follows:

Barbara J. Miller, Esq.  
Darren J. Campbell, Esq.  
***Morgan, Lewis & Bockius LLP***  
5 Park Plaza, Suite 1750  
Irvine, CA 92614  
Tel: (949) 399-7000  
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*Attorneys for Defendants JPMorgan Chase Bank, N.A.; and Chase Manhattan*

*Attorneys for Defendants JPMorgan Chase & Co.; JPMorgan Chase Bank, N.A.; and Chase Manhattan Mortgage Corporation*

- BY MAIL:** I deposited the envelopes for mailing in the ordinary course of business at Los Angeles, California. I am "readily familiar" with this firm's practice of collection and processing correspondence for mailing. Under that practice, the sealed envelopes are deposited with the U.S. Postal Service that same day in the ordinary course of business with postage thereon fully prepaid at Los Angeles, California .
- BY FAX:** I hereby certify that this document was served by facsimile delivery on the parties listed herein at their most recent fax number of record in this action on January 15, 2008, from Los Angeles, California.
- BY E-MAIL:** I hereby certify that this document was served by e-mail delivery on the parties listed herein, via electronic transmission of the "Notice of Electronic Filing" (NEF), at the time of electronically filing the document(s).
- BY PERSONAL SERVICE:** I delivered such envelope by hand to the offices of the addressee named herein.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on January 15, 2008 at Los Angeles, California.

Leandra Kamba  
Type or Print Name

Signature